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01.03.2024
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 2697 of 2024

**Nemai Chandra Ghosh
-versus
The State of West Bengal & Ors.**

**Mr. Ujjal Ray,
Mr. Sk. Abdur Rahim.
...For the Petitioner.**

**Mr. Anand Farmania,
Ms. Srabani Biswas.
...For the State.**

**Mr. Raghunath Chakraborty,
Mr. Suman Banerjee,
Ms. Deblina Banerjee.
...For the Respondent Nos. 7 & 8.**

**Ms. Debanwita Pramanik.
...For CMC.**

Supplementary affidavit filed in Court today is taken on record.

It appears from the submissions made on behalf of all the parties that in compliance of the direction passed by the Court on 21st February, 2024, the demolition which was alleged to be carried out by the private respondents has stopped.

The premises in question of the petitioner and the private respondents are contiguous to each other. The petitioner contends that if the portion of the private respondents is demolished, then his portion will get damaged.

The private respondents intend to demolish their portion to raise new construction thereon.

The Commissioner of Chandannagore Municipal Corporation is directed to decide the issue and permit further steps to be taken in the matter only after being satisfied upon obtaining report from the technical expert that no damage will be caused to the petitioner's property on account of the demolition to be undertaken by the private respondents.

An opportunity of hearing shall be given to all the necessary parties at the time of taking a decision in the matter.

Till a decision is taken by the Commissioner of the Corporation, no steps for demolition shall be undertaken by the private respondents. A decision shall be taken in the matter at the earliest.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)